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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,942	10/31/2003	Kazuo Okada	SHO-0019	8926

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EXAMINER

DEODHAR, OMKAR A

ART UNIT PAPER NUMBER

3714

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/697,942	Applicant(s) OKADA, KAZUO	
	Examiner Omkar A. Deodhar	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/17/2004; 10/22/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (U.S. 5,752,881) in view of Hedrick et al (U.S. 6,135,884).

With respect to claim 1, Inoue discloses the following:

- A gaming machine comprising a variable display means for variably displaying a plurality of symbols and a display scaling means configured to scale up or down various symbols and images displayed to the gamer, (Col. 2. 1-13 & Col. 4. 59-62);
 - o Where it is noted that Inoue's device provides a variable display such that portions of the display can be enlarged for ease of reading.

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- A front display means provided in front of the variable display means and configured to enable a player to see at least one of the symbols or images on the display means, (Col. 2. 16-35);
 - o Where it is noted that Inoue's device teaches an outer reel that is rotatable behind a display window; where the outer reel has a peripheral face with different symbols including at least one transparent symbol, portions of which can be viewed when the transparent symbol is stopped in the display window.
- Internal winning combination determination means, (Col. 6. 35-40);
- A stop control means, (Col. 4. 8-12 & Col. 6. 8-14, 24-33, 35-37 & Col. 7. 50-60);
 - o Where it is noted that Inoue clearly discloses the use of a stop control means at various times during the game, as indicated in the prior art cited above.
- A game medium payout means associated with the stop control means, (Col. 6. 36-46);

With respect to claim 2, Inoue has disclosed a lens that may be used to enlarge a portion of the inner reel for ease of reading. Inoue however is silent regarding a gaming machine that uses a Fresnel or convex type lens for display scaling.

One of ordinary skill in the art would readily recognize the advantage of projecting larger symbols or images on a display such that the gamer can view symbols or images on a display with greater ease.

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Regarding claims 2 and 3, Hedrick teaches a gaming machine with the following relevant features:

- Multiple displays, (Col. 3. 7-13);
- A projection mode LCD system that utilizes a Fresnel lens to project and expand an image onto the exterior of the gaming machine, (Col. 14. 42- 67 & Col. 15. 1-3 & Figure 8).
 - o Where it is noted that the use of a Fresnel lens indicates a display scaling means such that images or symbols may be enlarged, or scaled for ease of viewing.
- That a light source, (Figure 8, 802) is mounted near the bottom of a gaming machine such that the light beam path is sufficiently great to project an expanded image onto the exterior of the machine.
 - o Thus, the light source mounting arrangement must be adjustable or variable such that the light beam path is sufficient enough to project the expanded image on the display. This is interpreted as an adjustable, or variable distance between the display scaling means and the front display, as in claim 3 of the applicant's disclosure.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's disclosure to have incorporated the features taught by Hedrick into the game of Inoue to provide a display scaling means with a variable distance between the scaling means and the front, or main display of the gaming

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machine. Hence, the combination of Inoue/Hedrick fully discloses the claimed limitations.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

LeMay et al (6,887,157) discusses and demonstrates in his figures the use of virtual zooming features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omkar A. Deodhar whose telephone number is 571-272-1647. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Ronald Jenesu
Primary Examiner
12/7/06

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.
